

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

MONDAY, THE TWENTIETH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HONOURABLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION NO: 5266 OF 2021

Between:

Yerugantla Raviteja @ Gaddam Bhuvan, S/o. Raghupathi @ Venkatrao, Aged about 20 years, Occ. Student, R/o. Gandimaisamma Area, Dindigal, Hyderabad, Ranga Reddy District.

...PETITIONER/ACCUSED-2

AND

The State of Telangana, Rep. by its Public Prosecutor, High Court of Telangana, At Hyderabad.

...RESPONDENT/COMPLAINANT

Petition under Section 437 & 439 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to enlarge the Petitioner/A-2 on Regular Bail in connection with the Crime No. 87 of 2021 on the file of Raghunadhapalem P.S., Khammam District (Khammam Police Commissionerate).

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Ch. Ravinder, Advocate for the Petitioner and the Public Prosecutor (TG) on behalf of the Respondent.

The Court made the following: ORDER

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.5266 OF 2021

ORDER:

This Criminal Petition, under Section 439 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A2, for grant of bail in Crime No.87 of 2021 of Raghunadhapalem Police Station, Khammam District, registered for the offences punishable under Sections 304-A and 337 of IPC and Section 8(c) r/w 20(b) of Narcotic Drugs Psychotropic Substance (NDPS) Act, 1985.

2. Heard the learned counsel for the petitioner/A2, the learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

3. Learned counsel for the petitioner/A2 would submit that the petitioner/A2 is innocent and he has nothing to do with the alleged seizure of 200 kgs of ganja, said to be transported in the car bearing No.TS 32T 4776 on 28.04.2021. The petitioner/A.2 is falsely implicated in the subject crime and ultimately prayed to allow the criminal petition as prayed for.

4. On the other hand, learned Assistant Public Prosecutor appearing for the respondent-State would submit that on 28.04.2021, the petitioner/A2 and A1 were found in possession of 200 kgs of ganja while transporting in a car bearing No.TS 32T 4776 and the same was seized under a cover of panchanama at the scene of offence between 14:45 hours and

17:30 hours and ultimately prayed to dismiss the criminal petition.

5. As seen from the material placed on record, the panchanama dated 28.04.2021 reveals that 200 kgs of ganja was seized from the car bearing No.TS 32T 4776 on 28.04.2021 at 14:45 hours near Shiva Family Dhaba, V.Venkatayapalem Village, Raghunadhapalem Mandal, pursuant to the confession made by the petitioner/A.2 etc., The petitioner/A.2 was one of the inmates of the said car. The ganja seized is more than commercial quantity. In view of the seizure of huge quantity of ganja and also in view of the facts and circumstances of the case, it cannot be held that the petitioner/A.2 is innocent and he will not indulge in similar offences in future. Thus the petitioner/A.2 failed to satisfy the twin requirements under Section 37 of NDPS Act. There are no justifiable grounds to allow the criminal petition as prayed for.

6. In the result, the Criminal Petition is dismissed.

Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

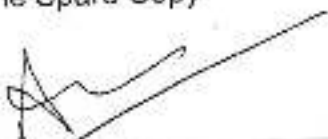
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SD/-M.MANJULA
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The I Additional District and Sessions Judge, Khammam, Khammam District.
 2. The III Additional Judicial First Class Magistrate, Khammam, Khammam District.
 3. The Superintendent, Central Prison, Khammam, Khammam District.
 4. The Station House Officer, Raghunadhapalem Police Station, Khammam District
 5. One CC to Sri Ch. Ravinder, Advocate [OPUC]
 6. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
 7. Two CD Copies
 8. One Spare Copy
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HIGH COURT

DATED: 20/09/2021

ORDER

CRLP.No.5266 of 2021



DISMISSING THE CRIMINAL PETITION

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REMA
01/10/2021